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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT

(Butte)

THE PEOPLE,

Plaintiff and Respondent,

v.

JASON JAMAR JACKSON,

Defendant and Appellant.

C080402

(Super. Ct. No. CM042409)

This is an appeal pursuant to *People v. Wende* (1979) 25 Cal.3d 436. We briefly recount the facts and procedural history in accordance with *People v. Kelly* (2006) 40 Cal.4th 106, 110.

On December 24, 2014, defendant Jason Jamar Jackson and his friend Lorraine Sampson drove to the home of Sammy Earl Anderson, Jr., to pick him up. Anderson paid Sampson \$50 to drive him from Chico to Oroville and then back. After picking up Brenden Steele in Oroville, they drove around. Sampson drove with defendant in the front passenger seat and Anderson and Steele in the back seat. At an apartment complex, Steele claimed Anderson fired a gun towards a car and then handed the gun to defendant.

Sampson saw defendant put the gun in the glove box. When contacted by officers, the victim, Robert Caesar, stated that he noticed a car following him and speed up. He told officers he then heard gunshots. His car had bullet holes in the rear passenger and driver's side door, and the left passenger window was broken out. The victim had two passengers in his car but no one was injured.

A search of Sampson's vehicle revealed a .45-caliber handgun with five live rounds and the smell of fresh burnt gunpowder. A ski mask was found in a pocket on the back of the front passenger seat. Six spent .45-caliber shell casings were found at the scene.

Defendant entered a negotiated plea of no contest to shooting at an occupied motor vehicle. (Pen. Code, § 246.) The court denied probation and sentenced defendant to state prison for the midterm of five years.

Defendant appeals. The trial court denied defendant's request for a certificate of probable cause. (Pen. Code, § 1237.5.)

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende, supra*, 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from defendant. Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

RAYE, P. J.

We concur:

MURRAY, J.

RENNER, J.